

ESTTA Tracking number: **ESTTA580895**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91214147
Party	Defendant David Reynozo
Correspondence Address	Wendy Peterson Not Just Patents LLC PO Box 18716 Minneapolis, MN 55418 UNITED STATES wsp@NJPLS.com
Submission	Motion to Consolidate
Filer's Name	Wendy Peterson
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Date	01/09/2014
Attachments	Motion to Consolidate.pdf(23156 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Opposition Proceeding 91214147

In the matter of Trademark Applicant No. 85807235

For the mark: AZTECA JAGUAR

Publication Date: Sep. 03, 2013

Villanueva Holding Company LLC

v.

David Reynozo

RESPONDENT'S MOTION TO CONSOLIDATE

Applicant/Respondent motions this Board to consolidate this action, Opposition No. 91214147, with Opposition No. 91214091 pursuant to TMBP Section 511 and Fed R. Civ. P. 42(a). In support of this Motion, Applicant alleges the following:

1. This motion is timely, Applicant is filing Answers on both proceedings simultaneously with this motion.
2. On 12/17/2013, Opposition No. 91214091 was filed by Villanueva Holding Company LLC opposing the design mark of a bottle generally representing the head of a jaguar used for the sale of tequila by Applicant David Reynozo.

3. On 12/17/2013, Opposition No. 91214147 was filed by Villanueva Holding Company LLC opposing the word mark AZTECA JAGUAR used for the sale of tequila by Applicant David Reynozo.
4. Opposition Nos. 91214147 and 91214091 involve identical parties.
5. Opposition Nos. 91214147 and 91214091 involve common questions of law and fact.
6. Consolidation of Opposition proceedings Nos. 91214147 and 91214091 will avoid unnecessary costs and delays.
7. Consolidation of Opposition proceedings Nos. 91214147 and 91214091 will not result in any prejudice or inconvenience to Applicant or Opposer.

WHEREFORE, Applicant respectfully requests that this Motion be granted.

Submitted By: /Wendy Peterson/

Date: January 9, 2014

Wendy Peterson, Attorney for Applicant, David Reynozo

CERTIFICATE OF SERVICE

I hereby certify that on January 9, 2014, the foregoing was served upon Villanueva Holding Company LLC's attorney by first class mail:

John A. Tang
Strasburger & Price, LLP
909 Fannin Street, Suite 2300
Houston, TX 77010

By: /Wendy Peterson/

Date: January 9, 2014

Wendy Peterson, Attorney for Applicant, David Reynozo